IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 3749 of 2005

Between:

Syed Abbas, S/o Syed Hussain
R/o Kokapet Village, Rajendranagar Mandal,

Ranga Reddy District

..... PETITIONER

AND

The Mandal Revenue Officer, Rajendranagar Mandal,

Ranga Reddy District

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, order or direction, declaring the impugned proceedings in Records No. C/1134/04 dt 31-01-2005 passed by the Respondent in refusing to furnish the certified copies of the pahanies for the years 2001-02 and 2002-03 in respect of Sy. No. S. 92,93,95,96 and 97 of Kokapet village, Rajendrangar Mandal, Rangareddy District to the petitioner as illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. Rights in Land & Pattadar Pass Book Act, 1971 and consequently direct the Respondent to forthwith furnish the certified copies of the pahanies and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner: MR.T.VENKAT REDDY THIPPARTHI

Counsel for the Respondent : GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioner applied for certified copies of the pahanies for the years 2001-02 and 2002-03 in respect of the land in Survey Nos.92,93,95,96 and 97 of Kokapet Village, Rajendranagar Mandal, Rangareddy District. Through memo, dated 31.01.2005, the respondent informed the petitioner that his request cannot be acceded to, since the lands are classified as "Govt. Cheruvu Shikham". Petitioner challenges the same and seeks direction to the respondent to furnish the copies of the pahanies.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The A.P.Rights in Land and Pattadar Pass Books Act, 1971 and the Rules made thereunder provide for maintenance of records in respect of lands. It also provides for appeal and revision, whenever the entries are challenged by the aggrieved parties. The petitioner claims that the names of his ancestors were recorded in respect of the said land and alterations were made without following the procedure prescribed by law.

Even assuming that the entries do not reflect the name of the petitioner or his ancestors and indicate that the land belongs to the Government, certified copies are required to be issued to the petitioner to enable him to work out his remedies. Rule 15 of the Rules insists that whenever the entries in any revenue records are challenged, the certified copies of the entries so challenged are to be enclosed.

In that view of the matter, the writ petition is disposed of, directing that the respondent herein shall issue certified copies of the pahanies for the years 2001-02 and 2002-03 in respect of the land referred to above, without prejudice to the rights of the Government, within two weeks from the date of receipt of copy of this order. There shall be no order as to costs.

11.03.2005

Jsu
To

1) The Mandal Revenue Officer, Rajendranagar Mandal,

Ranga Reddy District

2) Two CCs to the G.P for Revenue, High Court Buildings, Hyderabad(O.U.T).

3) 2 CD copies.